

REMARKS

Claims 16-35 are currently pending in the subject application.

Applicants appreciate the Examiner's withdrawal of the finality and the rejections of the Office action mailed on November 5, 2003.

Applicants acknowledge with appreciation the Examiner's allowance of claims 21-35.

Claims 16-35 are presented to the Examiner for further prosecution on the merits.

In view of the following remarks, reconsideration and withdrawal of the rejections of this application are respectfully requested, and favorable action upon all pending claims is hereby requested.

A. Introduction

In the outstanding Office Action mailed April 13, 2004, the Examiner rejected claims 16, 17 and 20 under 35 U.S.C. § 103(a) as being obvious over United States Patent No. 6,461,937 to Kim et al. ("the Kim et al. reference") in view of United States Patent No. 5,879,459 to Gadgil et al. ("the Gadgil et al. reference"). The Examiner rejected claims 18 and 19 under 35 U.S.C. § 103(a) as being unpatentable over the Kim et al. reference in view of the Gadgil et al. reference, and further in view of Wolf et al., *Silicon Processing for the VLSI Era: Vol. 1-Process Technology* ("the Wolf et al. reference"). The Examiner indicated that claims 21-35 are allowed.

**B. Asserted Rejection of Claims 16-20 Under 35 U.S.C. § 103(a)**

In the outstanding Office action, the Examiner rejected claims 16, 17 and 20 under 35 U.S.C. § 103(a) as being obvious over the Kim et al. reference in view of the Gadgil et al. reference, and claims 18 and 19 under 35 U.S.C. § 103(a) as being obvious over the Kim et al. reference in view of the Gadgil et al. reference, and further in view of the Wolf et al. reference.

These rejections are respectfully traversed, as the present invention as claimed and the Kim et al. reference were commonly owned by Samsung Electronics Co., Ltd. at the time the invention was made. A terminal disclaimer disclaiming the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the commonly owned reference, viz., U.S. Patent No. 6,461,937 to Kim et al., is being filed concurrently herewith. Therefore, the rejections of claims 16-20 are believed to be overcome, and claims 16-20 are believed to be in condition for allowance.

Accordingly, a notice of allowance of claims 16-20 is respectfully requested.

**C. Conclusion**

In view of the terminal disclaimer related to U.S. Patent No. 6,461,937 to Kim et al., which is being filed concurrently with the instant amendment, and the remarks contained herein, claims 16-35 are now believed to be in condition for allowance, and a notice to such effect is respectfully requested.

If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is respectfully requested, and an early and favorable action upon all the claims is hereby requested.

Respectfully submitted,

LEE & STERBA, P.C.

Date: July 12, 2004

*Richard A. Stark* <sup>REG. NO.</sup>  
*for* Eugene M. Lee, Reg. No. 32,039 <sup>43,162</sup>

LEE & STERBA, P.C.  
1101 WILSON BOULEVARD, SUITE 2000  
ARLINGTON, VA 22209  
703.525.0978 TEL  
703.525.4265 FAX

PETITION and  
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.